

Customer No. 33401

Attorney Docket No. 073758-0013

**PATENT**  
**RECEIVED**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** **CENTRAL FAX CENTER**

In re Application of:  
C. Earl Woolfork

Serial No.: 10/648,012

Filed: August 26, 2003

For: **WIRELESS DIGITAL AUDIO  
SYSTEM**

Group Art Unit: 2644

JUL 26 2005

Examiner: Andrew R. Graham

<b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.6(d)</b>	
I hereby certify that this correspondence is being transmitted <u>via facsimile</u> to <u>571-273-8300</u> under 37 CFR 1.6(d) on the date below.	
Date: <u>7/26/05</u>	 Anita Chou

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER**  
**TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed May 18, 2005, rejecting claims 1-5. An amendment was filed in response to this action on or about July 1, 2005. The amendment has been entered. The amendment cancels claims 2, 3 and 5, and adds claims 6 and 7. The amended claims are those which Applicant wishes to appeal. Accordingly, the present appeal pertains to Claims 1, 4, 6 and 7.

This appeal is being presented because various claims of the present application have been rejected on at least three occasions. The present application has been rejected once. The present application is a continuation-in-part of U.S. patent application serial no. 10/027,391. This parent application was rejected twice.

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PAGE 1/6 \* RCVD AT 7/26/2005 7:58:18 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/27 \* DNIS:2738300 \* CSID:310 277 4811 \* DURATION (mm:ss):01:12

07/28/2005 00000123 501946 10648012

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The items checked below are appropriate:

**STATUS OF APPLICANT**

This application is on behalf of

other than a small entity  
 small entity

**FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(e) the fee for filing the Notice of Appeal is:

small entity \$250.00  
 other than a small entity \$500.00  
 Notice of Appeal fee due \$250.00

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$250.00

**TOTAL FEE DUE \$250.00**

**FEE PAYMENT**

Charge Account No. 50-1946 the sum of \$ 250.00. A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

Please charge any additional fees which may be required, or credit overpayment to Deposit Account No. 50-1946.

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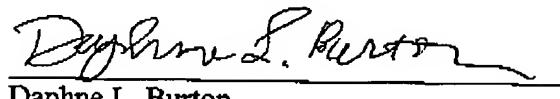
Attorney Docket No.: 073758-0013

Respectfully submitted,

July 26, 2005

Date

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